

MICHAEL ROSEN
Law Offices
61 Broadway, Suite 2602
New York, New York 10006
mrosenlaw@aol.com

CELL (516) 381-6690
TEL (212) 742-1717

FAX (212) 248-4068

May 25, 2012

Hon. Eric N. Vitaliano
United States District Judge
United States Courthouse
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Domenico Cutaia
10-CR-0010 (ENV)

Dear Judge Vitaliano:

I represent Domenico Cutaia who is scheduled to be sentenced on June 1, 2012 at 11AM. I write to respectfully request an adjournment of the sentencing for the following reasons. I have been on trial in Nassau County, since February, before Justice Alan Honorof, and a jury. The trial is in the home stretch (thankfully) with the prosecutor expecting to rest sometime during the week of May 28th. With the anticipated brief defense case, five summations, charge and deliberations, much of the month of June may be consumed.

Besides the physical toll this marathon trial has taken on me personally, I have been unable to adequately prepare for Mr. Cutaia's sentencing. As you may recall, he remains incarcerated at FMC Rochester, Minnesota and I hope to duplicate the logistics employed at his video plea hearing--including obtaining the services of local counsel again--but have not completed those arrangements nor have I been able to prepare my sentencing memorandum. For these reasons, I request an adjournment of the sentence hearing until a date convenient to Your Honor in September. Since AUSA Rachel Nash is starting a trial in June, she consents to a September date.

Page-2-

Re: United States v. Domenico Cutaia
10-CR-0010 (ENV)

Thank you for your patience and consideration.

Respectfully,

Michael Rosen
Cell: (516) 381-6690

MR:wp